

Interview Summary: Keith Wilson, K.C.

Mr. Keith Wilson, K.C., was interviewed by Jeffrey Leon, John Mather, Alexandra Heine and Stephen Armstrong on October 20, 2022. Questions about this witness summary should be directed to Mr. Armstrong.

Background

Wilson is a practicing lawyer in the area of Edmonton, Alberta.

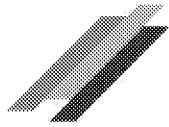
In December 2021, Wilson was retained by the Justice Centre for Constitutional Freedoms (“JCCF”) to take on any case of his choosing regarding challenges to COVID-19 public health measures. He chose to take on former Premier Brian Peckford’s challenge to the Government of Canada’s air travel vaccine mandates.

On February 1, 2022, Wilson was contacted by the JCCF and informed that the organization had agreed to provide representation to some of the recognized organizers of the Freedom Convoy in Ottawa. The JCCF asked if he would lead a team of four lawyers set to leave the next morning for Ottawa. Wilson agreed. Wilson had been following the Freedom Convoy and had contributed \$15 to the GoFundMe campaign as a way to receive updates on the movement’s activities.

Arrival in Ottawa

On February 2, Wilson traveled to Ottawa on a chartered flight with Eva Chipiuk, Dwayne Lich, Chad Eros, and others. Wilson and Chipiuk boarded the flight in Edmonton, and others were picked up along the way.

Arriving in Ottawa in the evening, Wilson and Chipiuk travelled downtown to the ARC Hotel to meet with Tamara Lich, Chris Barber, and others. This was his first-time meeting any of them in person. He spent some time talking with them and earning their trust. Wilson learned that a press conference had been announced by the group Taking Back Our Freedoms (“TBOF”) for the next day.



On February 3, Lich, Barber and the early Finance Committee that was set up reviewed a response to GoFundMe, which Wilson and Chipiuk drafted on the flight, and the contents were approved.¹

Wilson found the TBOF leaders in the ARC Hotel and informed them that the Freedom Convoy organizers would be doing the press conference. Lich told Wilson that she was not in a position to respond to all the questions that may be posed by the press. Wilson agreed to lead the press conference. He decided the event needed to be focused, with a clear message. Around this time, Wilson met with Daniel Bulford. Bulford suggested he speak at the press conference about the Convoy's work liaising with the police regarding safety and emergency vehicle access. Wilson agreed Bulford should also speak at the press conference.

On February 3, 2022, the Freedom Convoy organizers held the press conference. Wilson opened by outlining the agenda for the press conference and introduced Tamara Lich. Lich read a prepared statement, a summary of the statement was read in French, then Bulford discussed the Freedom Convoy's efforts to ensure safety and security in downtown Ottawa.²

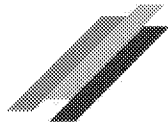
Freedom Convoy Organization, Groups, & Personalities

Over time, Wilson developed an increased understanding of the evolving organizational structure of the Freedom Convoy in Ottawa. In his view, the leadership consisted of the people who consistently appeared in various rooms and meetings he attended, including Lich, Barber, Bulford, Marazzo, Sean Thiessen, and others.

Wilson stated that truckers are logistics people. The truckers that turned up in Ottawa were also very independent-minded. They organized themselves by province and by each block in Ottawa where the Convoy became situated. There were provincial road captains and there were block captains. The block captains were elected by the Freedom Convoy participants on the block. There were approximately 14 block captains, by Wilson's recollection. Wilson took his direction from the original volunteer group, which expanded over time, and from the board of directors of the non-profit entity that the Freedom Convoy organizers incorporated.

¹ HRF00001319.

² JCF00000155.



Brigitte Belton was present at many meetings. However, she was not often an active participant. She was a good resource to communicate legalese to truckers because she understood them, was involved in the movement early, and was recognized by many of them. However, according to Wilson, she did not have a lot of sway within the leadership. She was not an influential decision-maker.

Eros attended many meetings of the Freedom Convoy organizers at the ARC Hotel. However, he eventually shifted over to staying at the Swiss Hotel.

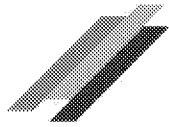
BJ Dichter was not around when Wilson arrived in Ottawa on February 2 due to Ditcher having had a car accident near Kingston. Dichter returned on February 4. On the evening of February 4, Ditcher had a fall on an icy sidewalk outside the Arc Hotel and broke his ankle. According to Wilson, Dichter worked closely with Dagny Pawlak on media. Because Dichter was confined to his hotel room, they were often disconnected with the other Freedom Convoy organizers.

Pat King appeared to Wilson to be an attention seeker and a rabble rouser. King was involved in the Freedom Convoy early on because he had a large following on social media. Wilson did not care to be in the same room with King and had no time for him. The only person the Freedom Convoy issued a statement against was King, because he would say things that seemed to condone or support violence.³ His statements had themes of violence. Lich abhorred violence. The Freedom Convoy organizers wanted to conduct a peaceful protest.

James Bauder was present in Ottawa with his group, Canada Unity. Bauder had publicized his Memorandum of Understanding ("MOU"), which received a lot of attention. Wilson's understanding is that the MOU purported to be a lawfully recognized mechanism to change a government through petition. Wilson was asked about it a lot, including by some of the organizers. He would explain that there were only two ways governments change in Canada: (1) when Parliament is dissolved; and (2) when the House votes no confidence in the government. Wilson shared his view that the MOU was nonsense.

In Wilson's experience, a broad array of groups had attached themselves to the Freedom Convoy. He described three types of groups: (1) those who came to support the movement; (2) those who came in to attempt to take it over; and (3) those who were more opportunistic and came seeking a piece of the over \$10 million which was raised by the Freedom Convoy.

³ HRF00000083.



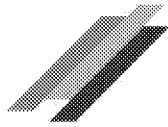
According to Wilson, the individuals from TBOF fell into all three groups. Some just wanted the truckers to be successful, some wanted to take over the movement, and others were just after the money. Wilson also observed a lot of strange people around downtown Ottawa at the time, including a self-described coven of witches. Wilson was concerned about people like Randy Hillier and Chris “Sky” Saccoccia getting on stage and trying to hijack things. Wilson also saw Romana Didulo and her followers as trouble. The Freedom Convoy organizers opposed her and did not want her around.

In Wilson’s view, Lich, Barber, Bulford, Marazzo and others believed their objectives would best be achieved through lawful peaceful protests, but others were seduced by the Randy Hilliers, Pat Kings, and Chris Skys of the world.

When Wilson arrived in Ottawa, Freedom Convoy participants had already established lines of communication with the Ottawa Police Service (“OPS”) and the Ontario Provincial Police (“OPP”). Wilson did not want to disrupt those relationships. Instead of replacing the Freedom Convoy participants who were already performing a liaison role, he and Chipiuk added themselves as legal advisors to the Freedom Convoy participants. In this role, Wilson and Chipiuk interacted particularly with Marazzo and Bulford. As time went on, Wilson and Chipiuk took on a more direct role which included regular contact with Police Liaison Teams (“PLTs”). The PLTs that Wilson had the most contact with were Sergeant Phong Le (OPS), an officer named Isabel [Cyr-Pidcock] (OPS), and an officer named Andrew [Wierzbicki] (OPP).

As an example of how the coordination and effort to work together amongst the truckers worked, many of the truckers did not like the noise generated by truckers’ honking. Marazzo, Barber and others spoke to the block captains and they suggested implementing quiet hours from 8 PM to 8 AM. Many truckers agreed to quiet hours in the week before the Ontario Superior Court granted the honking injunction.

Emergency access lanes were another example of effective organization and coordination by the truckers and other volunteers. Marazzo and other volunteers were very concerned with ensuring that emergency lanes were open for ambulances and fire trucks. For Marazzo, it was an important issue because he has a son with a heart condition and makes regular use of ambulances. Marazzo took it upon himself to ensure there was always a safety lane open. He would check-in with the block captains in the morning to see who came and who had left. If anyone was blocking an emergency lane, he or another one of the volunteers would bang on the trucks and tell them to move. At Rideau and Sussex, there was a vehicle blocking an emergency lane. Marazzo insisted that if the protesters would not move it, they had to have it maned so that it could be moved if necessary. Kent St. was another problem area because it had filled up too quickly and people did not want to move. Other than that, emergency lanes were generally open.



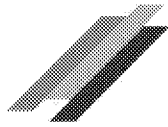
On February 3, Wilson, Chipiuk, Lich and others met over the phone with executives at GoFundMe to discuss releasing the funds to the Freedom Convoy. GoFundMe went over the Freedom Convoy's letter from earlier in the day, but were concerned about what they heard in the media. They said they would speak to the City of Ottawa and the OPS and get back to them. GoFundMe never got back to the Freedom Convoy and late on the afternoon of February 4 Wilson learned that GoFundMe would close down the campaign and either donate the money to a different group or pay back the money to the donors.

Earlier on the afternoon of February 4, Wilson and Chipiuk went to the Swiss Hotel for the first time. The Swiss had a clearer command structure than the ARC Hotel. The people who were at the Swiss had training in incident and crisis response. There were former law enforcement officers, ex-military, and ex-CSIS personnel. They had radios, maps, and ariel photos. They were coordinating the distribution of fuel, removal of waste, managing the stage, and dealing with problematic protesters. Many of these ex-service personnel were connected and brought in intel. Wilson is unaware of the sources, but the Freedom Convoy was receiving leaked information from law enforcement. Eventually, the police caught on and appeared to launch "fake operations" to throw off the Freedom Convoy participants and test where the leaks were coming from.

The Swiss Hotel was host to an 8 AM meeting everyday dealing mainly with logistics issues anticipated for the day as well as a brief on any incidents from overnight. People provided information on various items, like logistics, safety, security, special stage events, and planning . The ARC Hotel was host to what was called the "Team Canada" meeting at 8 PM every day. Groups such as Canada Unity and TBOF attended these meetings. These were similar in style with information of goings on being discussed.

Change in Tone by the Police

On the afternoon of February 4, the former Chief of the OPS, Peter Sloly, held a press conference. It appeared to Marazzo that there was a change in tone which was concerning. Chief Sloly's attitude had shifted to one of advocating for a non-police solution to one focused on surge and containment. There was a significant increase in the police presence in downtown Ottawa following the Chief's announcement, which raised tensions with the protesters. It felt like a police raid was imminent.



At the end of the day, Wilson was served with a \$10 million lawsuit and an emergency injunction motion by counsel for the representative plaintiff in the Ottawa Class Action.⁴ The motion was adjourned on February 5, and put over to February 7.

On February 7, the injunction motion was heard and the Ontario Superior Court granted an injunction restraining the protesters from honking in downtown Ottawa.⁵ Lich and Barber were relieved because after the first few days of the protests they believed that the honking was counter-productive and were concerned about its impacts on the downtown residents. According to Wilson, the honking became popular with the truckers during their cross-country drive to Ottawa. When they were greeted with supportive crowds, they would honk to acknowledge the crowd's support. The truckers received so much support on the way to Ottawa. Part of the reason they felt they had to stay, according to Wilson, was that the truckers did not want to feel like they let their supporters down.

Negotiations with the Police and the City

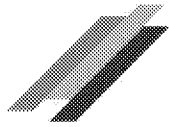
In evening of February 7, the Freedom Convoy organizers and especially Marazzo became concerned about the pressure that was mounting on Chief Sloly from the Ottawa Police Services Board. The thinking among the group was that they needed to help take pressure off Chief Sloly. Wilson had previously reached out to Premier Peckford on February 6, and asked if he knew anyone through whom the Freedom Convoy participants could establish a line of communication with City of Ottawa or federal government officials. Premier Peckford said to leave it with him and he would see what he could do.

On the afternoon of February 6, Dean French got in touch with Wilson. French was the former Chief of Staff to Premier Doug Ford. Wilson and French discussed whether the Freedom Convoy organizers could move trucks out of the residential areas of downtown Ottawa. Wilson thought they could work toward that goal.

On February 7, Marazzo lost confidence in the PLTs and he requested an inspector-level PLT. The next day, the PLTs invited Marazzo to a meeting at City Hall with the City Manager, Steve Kanellakos. Marazzo invited Wilson and Chipiuk. The OPS PLT was initially furious that Marazzo had unexpectedly brought additional attendees to the

⁴ HRF00000065.

⁵ HRF00000073.



meeting. To de-escalate the situation, Chipiuk suggested to the PLT officers that she and Wilson could seek instructions not to oppose the continuation of the honking injunction. The officers relented and allowed Wilson and Chipiuk to attend the meeting. There were three PLTs in the meeting including Phong, Isabel, and Andrew.

At the meeting, Wilson, Marazzo, and Chipiuk told the City Manager that they needed to work together to bring the temperature down because tensions were rising. Wilson asked for the City's top "asks". The City's asks were: (1) not to embarrass the City and to keep the meeting a secret; and (2) to move trucks out of top areas of concern, particularly residential areas and the Rideau-Sussex intersection. A lot of time was spent talking about Rideau-Sussex and the City's desire to open that intersection.

Rideau and Sussex

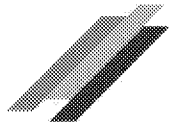
After the meeting, at approximately 2:27 PM, Wilson, Chipiuk and Marazzo went to the intersection of Rideau and Sussex to assess the situation. Wilson took contemporaneous pictures of the intersection on his phone.⁶ Wilson described the protesters at Rideau and Sussex as tough to deal with. Chipiuk and Marazzo talked to the protesters in the vicinity of the intersection. Chipiuk was able to build a level of trust because of a shared Polish heritage with some of the protesters.

The information Wilson had about the truckers and protestors at the Rideau-Sussex intersection was that they had arrived at that location a day before the main convoy arrived; that they were mostly from Quebec but included Eastern European and Cuban immigrants and that many had suffered greatly and personally from Covid 19 mandates and that they were very committed and entrenched. Wilson spoke with several of them either individually or in small groups as part of the efforts to clear the intersection. Wilson left the intersection of Rideau and Sussex to return to the Sheraton Hotel.⁷

Chipiuk and Marazzo later relayed to Wilson that they asked the truckers whether they would move their vehicles to Wellington. The truckers agreed. Then, Marazzo went to meet with Sergeant Le and he was informed that the deal was off. OPS assistance was needed because large jersey barriers had been installed west of the intersection, blocking traffic from moving onto Wellington. However, the OPS would not allow the truckers to move up to Wellington at that time. The protesters from Quebec at the Rideau and Sussex

⁶ HRF00001552; HRF00001550; HRF00001545.

⁷ HRF00001548.



intersection were unhappy about this and said that the deal falling through was confirmation that they could not trust Marazzo and Chipiuk or the OPS. Marazzo and Chipiuk then left the intersection.

On the morning of February 9, Wilson, Chipiuk, and Marazzo decided not to return to negotiate with the protesters at Rideau and Sussex in an effort to let tensions die down.

On February 9, Wilson received back to back calls from Sergeant Phong Le. First, he called to ask if Wilson could help with the situation in Windsor at the Ambassador Bridge. Wilson told him that the Freedom Convoy had no coordination or contact with the blockades in Windsor, Coutts, or anywhere else. Lich did not like what was happening at the borders, but did not want to say anything overtly publicly against it.

Second, Sergeant Le called Wilson and told him that a group of Sovereign Citizens at the Coventry Road parking lot were deputizing themselves and planning to arrest all of the police officers at that location. Wilson contacted Bulford and got him to deal with the situation. Many of the Sovereign Citizens were ex-military people and Wilson thought Bulford could calm them down.

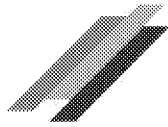
Around 4:40 PM, Wilson, Chipiuk, and Marazzo received a request from the OPS PLT for an urgent meeting. They met with the PLT around 5:00 PM in a meeting room on the main floor of the Sheraton Hotel. They told the PLT that if the police could guarantee the jersey barriers would be removed, their clients could work with the truckers to move the vehicles at Rideau and Sussex. Wilson felt that the PLT officers had been losing trust with the tuckers at that intersection and these reassurances would assist with the negotiations.

The first time that Wilson had heard the description of the group Farfadaas was during the first week of evidence in the POEC hearings.

On February 10, Lich requested that trucker captains (including road captains and block captains), board members, and key volunteers meet at Rideau and Sussex at 10:00 AM to clear the intersection. Wilson was in attendance. He took contemporaneous pictures of the area on his phone.⁸ The group was waiting for PLT confirmation that the jersey barriers would be removed to permit movement onto Wellington. The PLT was not able to provide such confirmation until around 4:00 PM.

Sometime later, just before sunset, the OPS and City crew were ready to remove the jersey barriers with a forklift and tow truck. OPS increased its presence in the area in

⁸ HRF00001547; HRF00001549; HRF00001546.



anticipation of the move. However, some of the protesters and area residents misunderstood what was transpiring and believed the OPS and the tow truck were there to remove the truckers. Despite Wilson's and Lich's efforts to persuade the growing crowd, it became impossible to carry out the move to Wellington. The PLT officers, Lich and Wilson agreed that the plan had to be aborted. The scene was captured on video.⁹

The Deal to Move out of Residential Areas

In the days leading up to February 11, Wilson had negotiations with French about a possible deal with the City.

Late in the afternoon of February 11, French arrived in Ottawa to host a meeting with Wilson's clients at the Westin Hotel. Wilson attended the meeting along with Lich, Marazzo, Chipiuk, Tiessen, Joe Janz, Ryan Mihilewicz, and Dale Enns. French said he had a draft letter from the Mayor proposing that trucks be relocated away from residential areas in downtown Ottawa. In exchange, the Mayor would meet with the Freedom Convoy organizers. Lich told Wilson she thought it could work. Lich asked for some clarification questions of French and thanked him. The Freedom Convoy Board convened an emergency board meeting at the Swiss Hotel in the evening. The board members decided to go along with the deal Dean French had offered to them.

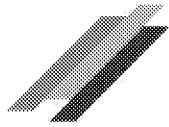
During this same meeting, the Freedom Convoy Board further refined what the exit strategy might be for the Ottawa protest. Wilson recommended that they prepare a letter to all premiers, MPs, and the Prime Minister stating their collective goals as a movement. The Freedom Convoy Board ended up assembling a list of objectives relating to COVID-19 public health measures.¹⁰

Wilson spoke with Premier Peckford again that evening. Wilson asked Peckford to put some key messages in his speech planned for the main stage on Saturday that would help lay the groundwork for the protesters to be more accepting of the Mayor's deal. In Wilson's view, the speech Premier Peckford gave the next day helped to get buy-in from the protesters.

On February 12, Wilson and the Convoy organizers prepared a letter from Lich to the Mayor accepting his proposal to move trucks away from residential areas or onto to Wellington in exchange for a meeting. In order to get buy-in from the truckers, a Freedom

⁹ HRF00001587.

¹⁰ HRF00001323.



Convoy Manifesto was drafted which set out the broad objectives of the movement and why the truckers should support the move.¹¹ 850 copies of the Manifesto were printed and distributed to the truckers, as well as to Dean French and Sargent Le via text [[this is in my text string to Phong]]. Lich and the Mayor also exchanged their letters, signifying their agreement.¹²

Wilson's understanding was that protestors recognized that they would be moving onto Wellington at their own risk. It was just an agreement to leave the downtown or go to Wellington. There was no special treatment involved. It was without prejudice to Ottawa's overall position that the Freedom Convoy should disperse and the truckers could face enforcement. The Mayor wanted relief for the residents of the downtown area. The Freedom Convoy's grievance was with the federal government. It was also never contemplated that all trucks would be able to move to Wellington. Wilson thought 25% would go to Wellington, with the rest going to one of the farms near Arnprior and other locations or leaving entirely to return home. Wilson's understanding was that overflow camps outside of Ottawa could hold the excess trucks. The owners of the farms were onboard with that idea.

Implementing the Deal

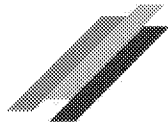
On February 13, the Mayor briefed City Council on the agreement, which led to press coverage of the deal. Teams of block captains spoke to truckers who did not like the agreement. The teams went door to door talking to the truckers. Lich said that the truckers were largely buying into the agreement. The Freedom Convoy Board believed that if some or most of the trucks agreed to move, the holdouts would feel pressured to follow or be left on their own. A logistics meeting was held at 5:30 pm at City Hall with the city, truckers, and OPS.

In the evening, Dichter tweeted a denial that any deal had been struck from both Dichter's Twitter account and Lich's Twitter account. According to Wilson, Dichter had the log-in information for Lich's Twitter account and used it to amplify his tweet. Wilson has no idea why Dichter did any of this because he was aware of the agreement since he was copied on correspondence about it and had replied to an email indicating that he agreed.¹³

¹¹ HRF00001278; HRF00001285.

¹² HRF00001263; HRF00001264; HRF00001251; HRF00001275.

¹³ HRF00001276.



Wilson insisted that Dichter log into Lich's Twitter account and issue a face-saving correction on Twitter. Wilson never got a satisfactory explanation from Dichter as to why he did what he did.

On February 14, the Freedom Convoy Board began to implement the agreement. Initially, they were stopped by police because of a miscommunication, but they were eventually able to get trucks moving with some going onto Wellington and others leaving the downtown. In total, approximately 102 vehicles moved, including 42 large trucks, 23 of which moved up onto Wellington. The additional trucks went to Arnprior or one of the other remote locations or went home. Wilson was communicating with city officials by text and phone through out the day.

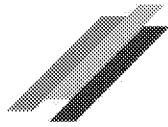
On February 15, more trucks were prepared to move. The prior day had provided some momentum and support for the agreement. However, the trucks were stopped by police and prevented from moving onto Wellington or leaving. Wilson spoke to the officers, who were again acting on a miscommunication: the police thought the agreement was only for 24 hours, when the letter said it was for 72 hours. The police PLTs told Wilson they would let more trucks move but the police continued to block any additional moves.

The Deal Blocked by Police

On February 15, the Freedom Convoy Board were prepared to move more trucks. French was optimistic as well. Wilson received a call from the City Manager, however, who told him, "We tried, doesn't look like it will happen...new chief didn't want to go ahead and the federal government does not want it." On the same day, Lich read a statement that was broadcast on social media from the Sheraton Hotel. She instructed Wilson and Chipiuk to go to a new location without telling anyone where they were. They went to the Le Germain hotel.

On February 17, Barber and Lich were arrested. Wilson reviewed the orders adopted by the federal government pursuant to the *Emergencies Act*. In his view, the orders did not prohibit lawful peaceful protests. People could come to, and be present in, downtown Ottawa if they came to peacefully protest. Wilson and Chipiuk sent a cease and desist letter to Interim Police Chief Steve Bell, whom Wilson believed had mischaracterized the reach of the emergency powers.¹⁴ A criminal defence hotline was set up with local

¹⁴ HRF00001298.



criminal lawyers who began to receive calls from Freedom Convoy participants who were getting arrested. Wilson and Chipiuk coordinated calls with the criminal lawyers.

Cryptocurrency Fundraising

The Board of the Freedom Convoy's non-profit was not aware of the details of Dichter's activities with respect to cryptocurrency fundraising. The Board never agreed to fundraise through cryptocurrency. Chad Eros was particularly opposed to it. When the Freedom Convoy Board found out how much Dichter had raised, they asked Chad to get in touch with Dichter to request that Dichter turn over the keys to the cryptocurrency to be held in trust for the non-profit. Chad could not get Dichter to turn over the keys to the cryptocurrency. Wilson does not know where all of the cryptocurrency went. Dichter was removed from the board of directors of the Freedom Convoy non-profit after the protests in Ottawa.